
1) Amesbury Planning Board Meeting Minutes

2) August 23, 2021, at 7:01 PM**3) Virtual Meeting – 7:01 PM**

- 4) Chairman Pascal Rettig called the August 23, 2021, Planning Board meeting to order at 7:00 PM. He read: Pursuant to Governor Baker's March 12, 2020, Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §20, and the June 16, 2021, extensions of those Provisions until April 2022, this Meeting of the Planning Board on August 9, 2021, is being conducted via remote participation. No in-person attendance of members of the public will be permitted, but every effort is being made to ensure that the public can adequately access the proceedings as provided for in the Order.
- 5) A reminder that persons who would like to like to watch this meeting can do so on ACTV Channel 12, the ACTV website, or their Facebook Page:
www.facebook.com/AmesburyCommunityTelevision
- 6) To submit a public comment, you can email nipun@amesburyma.gov with written comments. If you would like to dial-in to and speak, please email nipun@amesburyma.gov. You can do this from now until the public comment portion of the specific public hearing ends. There will be a public comment portion of each public hearing discussed tonight.
- 7) Chairman notes that tonight's Planning Board meeting is being recorded by Amesbury Public Access Television. This legal step has been taken but does not act as the official record. The written meeting minutes by the Recording Secretary is the official record.

1. Roll Call

- 8) **Attendance:** David Frick, Scott Kelley, Keith Ratner, and Pascal Rettig
- 9) **Absent:** Karen Solstad, Lars Johannessen, and Robert Laplante
- 10) **Also:** Director of Planning Nipun Jain and Mayor Cassandra Gove

11) 2. Minutes

- 12) The minutes of 7/26/21 and 8/9/21 are deferred to the next meeting.

13) 4. Continued Public Hearings

14) 9, 14, & 15 Estes Street

a. Definitive Subdivision (PH: 03-08-2021)

15) Nipun Jain said Tom Zahoruiko requested a continuation to the 9/13/21 meeting. He has been granted an extension for the filing through 9/17/21.

16) A motion to continue the Definitive Subdivision for 9, 14, & 15 Estes Street (PH: 03-08-2021) to the September 13th meeting is made by David Frick and seconded by Keith Ratner.

17) All members present vote in favor. Motion Approved.

18) 5. New Public Hearings

19) 140 Friend Street – Town Park

1. Athletic Fields – Site Plan Review (PH: 08-23-21)

20) Nipun Jain read the notice.

21) Mark Arigoni, SLR Consulting, 1350 Main St., Springfield, said feedback from the pre-application conference had been incorporated into submitted plans. The main part of the project concerns the middle area of Town Park where there is an existing 60 ft diamond, parking lot, grandstand, and a 60 ft diamond. The two existing diamonds will become two 60 ft Little League fields to replace what the Cashman School is losing. Improvements will include the softball field, parking lot, (audio gap), taking down the majority of trees along the park side, and pick up a few spaces with angled parking. Safety issues in the other existing 60 ft diamond will be addressed by shaving off 5-10 ft of the skateboard park to create a safe run-out distance for the right field foul line. The photometric plan is included with the plan submission. He highlighted the existing condition of trees along the park side of Highland Street where they will leave 4 mature oaks (lost audio) that will be filled in new 3-3 ½ inch caliper trees. Some of the existing fencing and the bleachers allows for construction of the 2 new Little League fields. Reorganizing and defining the existing parking lot next to the high school access will increase the pervious surface a little, with the goal of better stormwater treatment. A pre-fab standalone concession building, and 5-row bleachers will be added that replaces the large bleachers that exist. A 30 ft extension will be added to the existing storage building on the right field side. Softball field improvements include new fencing and a new infield. Highland St. parking will be 22-25 spaces for a total parking count of 50 spaces, excluding Friend St. parking or overflow parking at the high school. Portable toilets on a concrete pad with decorative fencing will also be added. Only the field closest to the high school will be lit.

- 22) Mark Arigoni said the plan includes improvements to the high school varsity field, including a new infield, taking the lip out behind 3rd base shortstop, 2nd base, and 3rd base, regarding dips and hollows in the outfield, cleaning brush and debris along the 3rd base side and the dugouts, and replacing and fixing some fencing. He displayed the details in the plan set and the photometric plan. All the numbers for the street area and the adjacent side of the street are 0.0 or 0.1 (the first house) which is no impact, and do not account for the existing and new trees. The LEDs are highly directed (lost audio).
- 23) Mark Arigoni addressed questions from the pre-application meeting. The process to replace the fields began 2 years ago (lost audio). He went through the details of the feasibility study that included Woodsom Farm, Sparhawk School, Amesbury Middle School, South Hampton Rd., Clinton Street, and the Truck Stop (lost audio). The importance of overflow parking at the high school in the selection of Town Park cannot be underestimated because usage and parking will be increased. Saturdays in the heat of Little League season will be the busiest for parking and traffic, with 20-30 cars for each field and he worked with an average of 25 additional cars per field. If all the fields in Town Park are in use, the skate park has an event, and the splash park is being used, not everyone will be able to park, which makes the shared use parking at the high school important. The sidewalk is highly accessible and comes down to the street in multiple locations, including the Friend St. intersection and at the newly lit field. He demonstrated on the plan the parking distance of a little over 1,000 ft away. (lost audio)
- 24) Keith Ratner said an email communication indicated there was parking for 45 cars, not 50. Mr. Arigoni concurred with Mr. Ratner's correction.
- 25) Keith Ratner said there are 45 spaces at the Cashman location. Why isn't that big enough? He wanted more information about taking a little corner off the skate park and the impact. What will the roadway travel width be with the angled parking?
- 26) Mark Arigoni said parking at the furthest spot on the Cashman entrance drive is about the same distance as parking at the high school. The intent is not to impact the skate park. There are no jumps in that corner where we want to look at adding 5-10 ft more outfield space if we need to. Maybe we can make the skatepark better in the process. The project still works if we don't do that. He will work with Rob Desmairas to determine whether parking is at a 45 degree angle, making it easier to back out, or a 60 degree angle. The parking goes into the park a little bit to maintain the roadway width by removing the pine trees and one oak. There will be no more parallel parking in front of the 4 remaining oaks to give them a better chance of survival.
- 27) Scott Kelley asked the full acreage being taken up by the fields, bleachers, concession stand, and parking out of the whole acreage of Town Park? Mr. Arigoni said somewhere about 3 acres.

- 28) Scott Kelley asked if the Little League was involved in the selection process or design elements. Mr. Arigoni said yes.
- 29) Lee Noyes, president, Amesbury Little League, 3 Old Tavern Lane, said he had been involved through two town administrations. Some of the other locations have options that are better than Town Park, but he can't have good parking and a bad field to play on. AES was eliminated because wetlands extend into the field. There was something unacceptable at each of the locations.
- 30) Scott Kelley asked if Mr. Noyes perfect location is both fields in close proximity to one another with full size parking for 200 cars, a snack shack, and bleachers. Mr. Noyes said the ideal place replicates what they had. If that meant less parking, he could accept it.
- 31) Scott Kelley asked who has care, custody, and control of the fields. Are they part of the City or they controlled by the Little League? Will there be a fee for using the fields? Who bears the liability? Are the equipment and storage building covered by the City?
- 32) Mayor Cassandra Gove said the City will have care, custody, and control. Reservations will be made through the Parks and Recreation Department portal. Previous Little League field reservations were made through the school. Pick-up games would also be reserved through the portal. We traditionally don't have a user fee, but we've talked a lot about it because we do not have a budget for field maintenance like a lot of other towns. Parks and Recreation are working on a plan for how to better manage these spaces. The City bears the liability for field use. The equipment and storage building are both City property.
- 33) Scott Kelley asked why the photometric shows rounded areas affected by the light except in one location, where a house is located, and the light goes straight across. Is that accurate?
- 34) Mark Arigoni said the photometrics do not consider topography and existing vegetation. The LED is so good at directing light that you need an up light midway up the pole to see the underside of the ball. That's what causes the irregularity. Adjustments are made during the installation and further adjustments are possible. It is designed to limit the amount of spread of light.
- 35) Scott Kelley asked if there were any restrictive covenants on the deed regarding this use.
- 36) Mayor Cassandra Gove said if you're thinking about a deed that restricts use, the same use is proposed. The use is not changing. The 3 fields there now including softball and T-ball. The change is that all three fields will be Little League. She had not asked KP Law to review the use.

- 37) Scott Kelley said the deed is specific about it being an open space for the use of all citizens of Amesbury at any time and without any costs. If we start fencing off sections 3+ acres where only certain individuals will have access at a particular time we might be in violation of the deed. You might find this could happen faster and better that has additional sources of funding and 200 parking spaces elsewhere. He wants to see them play in the right spot. He can't see grandparents walking a 1000 ft up a hill to get to your parking spot is not.
- 38) Pascal Rettig said this doesn't prohibit use of those fields. And these fields need work regardless. There is already a rotation of Little League games in Town Park.
- 39) Mark Arigoni said the fencing is put in for safety, not to prohibit use. It keeps play within the fields. Finding a site where you can build a lot for 250 cars and 3-4 Little League fields would be great, but sharing parking is better than and constructing parking for 250 that will have environmental impacts.
- 40) Lee Noyes said they would not have 3 games going simultaneously. The Little League shared their fields at Cashman. He doesn't think it will be an issue.
- 41) Robert Desmairas, Director of Public Works, had a copy of the deed. He sees no restrictions for their use of the property.
- 42) David Frick agreed. Open space and open to the public are broad terms. Putting a fence around the field doesn't impede either and doesn't change the use. They will regrade land to use for the same purpose.
- 43) Public comment open.
- 44) Joe Finn, 412 Main St., asked if the plan had any impact on the disc golf course. What's the ratio of new trees to trees being cut down? What is the alternative location Mr. Kelley had in mind with his comments?
- 45) Scott Kelley said the 7.7 acre truck stop of I-495 site has no issues for lighting and could access solar from the facility behind it. It had contamination and \$117,000 allocated for cleanup of which \$36,000 remains to finish the job. They want to see the property re-used. If you need 4 acres, for example, that leaves 3 acres for parking. You can get 118 cars in one acre. It's an all-encompassing site and gives the league what was taken away from them. People will stop giving land to the City if it is re-purposed this way. He understands the City would like to sell the truck stop for income. Maples Crossing just down the road is looking for places to put fill, which could be dropped off at the truck stop.
- 46) Richard Borgeaux, 149 Friend St., said the growth in traffic has changed the City. You normally don't see a home plate facing a busy road. The current Little League field has

two sidewalks with a lot of foot traffic, baby carriages, and dog walkers. Some towns, in lieu of netting, put up a sign that says, "For Little League Use Only." He has seen balls go 500 ft into Friend St. While doing this project we should address this liability through netting or limiting the use. One of the new home plates faces Highland St., and that should be addressed too. He hopes the lighting doesn't shine into somebody's house.

- 47) Billy McClain, 1 Sweats Hill, said she is not against Little League, but this is one of the worse locations. She lives in the truck stop neighborhood where about 100 condominiums are being built. There are no playgrounds, school, or fields, and no place to send a kid. It bothered her to read that the truck stop had high value. High value to the town does not translate to high value for the neighborhood. Locating this project at the truck stop would be an effective way to enhance the neighborhood, which is part of Amesbury's bylaws. The project at Town Park does not enhance Highland St., Friend St., or Lions Mouth Rd. Leaving the truck stop like it is or as another large development doesn't enhance the neighborhood either. Those fields are not overgrown now and that's the best location for these fields. The culvert is in the MVP plan as needing to be fixed. A repaired culvert eliminates a portion of the wetlands, as will taking down the modulars. Softball could get moved over to the elementary school and the 2 Little League fields could go where Pony League is now and the softball field. Would that work?
- 48) Danny Ouellette, 158 Lions Mouth Rd., abutter, said he liked the idea of the Little League fields at the truck stop. The amount of traffic coming in and out of there should be taken into consideration. He has represented the disc golf league since he installed the course 25 years ago. It is the 2nd disc golf course in the state. No one had asked him how it will affect the disc golf course. A fence on the softball field doesn't work. When the public skating area went in, we worked together as groups and put in a winter layout that worked for everyone. We use that area in the winter and a fence would ruin any of those concepts. How much will the disc golf course be impacted? (lost audio). The traffic congestion is a great concern. There needs to be more work listening to Highland Ave. residents and others to talk about it.
- 49) April McDonald, 8 ½ Greenleaf St., said the current field that will become a Little League field is the home of AHS junior varsity. Where will that team go?
- 50) Jonathan Sherwood, 20 Manilla Ave., chair, Open Space Committee, is generally in support of the plan. Making use of existing density is good. The proximity to the town center and leveraging existing parking resources are also good. Is there any drainage impact? The sidewalk on Highland St. is the same grade as the street with no separation, and currently a bad situation. To get the parallel parking off the street will be great. What will the sidewalks look like? About 10 years ago the City put Town Park under Article 97 protection for passive and active recreation uses. The proposal is consistent with that commitment, fits in with an extensive list of active uses, and makes the park livelier.

51) Michael Hilt, 8 Bowie Ave., Board Vice President, Amesbury soccer Assoc., and long-time coach, said his main concern is how Town Park can remain multi-use if you put fences up. Fences protect people. Safety is good, but it will cut down on other activities use of the space by eliminating the use for lacrosse, flag football, and soccer. Are there retractable or movable fences? We should understand how fences will impact use of the park for of other activities. The City's summer camp program uses this park. At one point there was talk of moving the Little League fields onto the Woodsom property in a multi-use facility with rectangular fields. There will be a great big parking lot at the new school. His organization has tried for 25 years to get fields for soccer. The soccer fields at Woodsom are not flat and can only be used for practice. He preferred the multi-use opportunity. Why was that plan abandoned? The fences will make Town Park a diamond sports facility and every other sport will be shut out.

52) Public comment closed.

53) Mark Arigoni said he is responsible for failing to reach out to disc golf. There's an impact to the 12th tee, and the length of that hole from the right side of first base. We can work something out and he looked forward to figuring it out. He demonstrated on the current plan where the 12th tee box is located, but there might be room to work something out. The gravel road will stay how it is. There is no intent to put an outfield fence around the softball field who's fencing should not impact the disc golf course. We will work together on the 12th tee.

54) Mark Arigoni said retractable netting is used and that is something they can look at and can be added, but high school kids should not be playing on a 60 ft diamond. If there a games on all 4 fields at once with a car for every player, that's potentially 100 cars. We can't have parking for all use configurations on a Saturday. We need access to overflow parking and that's a benefit to this site. Handicapped or elderly parking can be set aside for disabled. Maybe more than the state standard. We are defining the high school parking to make it safe. The sidewalks are currently used for parallel parking. Putting in angled spaces allows the new sidewalk to go around the cars. Guardrails are an option too.

55) Mark Arigoni said there's no water quality with the existing imperious pavement. We are reducing the impervious surface and infiltrating the runoff.

56) Mayor Cassandra Gove said the JV and Babe Ruth that play on the softball field will transition to the high school varsity field for this year. That's why we are making improvements to the varsity field. It will be tight for this season. She will return to the Planning Board to add a Babe Ruth- sized field at the high school for the next season of JV and Babe Ruth. It will need a retaining wall and we are looking at temporary fencing to allow for other uses in that area. We've worked with Youth Athletics. We looked at the truck stop. It's significantly farther from town and the current little league fields. They move a lot of equipment around. Right now, they're mowing their own fields. Their

snack shack is successful because there are a lot of people there. It's more attractive for them to be in this location. A Disposition Committee is being formed to study the truck stop. That committee will be comprised of a neighbor, the district councilor, and a few others. That's how that area will move forward.

57) Lee Noyes said the truck stop contamination makes it unattractive. We already have fields at Town Park. The Little League complex can be part of the community. We can help other sports use the space by working with them. To have our fields in one spot, if we're maintaining it and doing work, it makes life easier on the volunteers.

58) Mayor Cassandra Gove said we're learning more about the soil and site conditions at Woodsom as we build the new school there. The piles of dirt you see are full of arsenic, and we cannot use it those to fill in our soccer fields. We can assume the soil conditions continue into the area of the proposed plan for multi-use fields. It was an \$8 million plan without considering the soil conditions. We are authorized to borrow \$1.5 million. We do not have the money to do all of that, so we are doing a portion of it with a portion of the budget. We'll address the need for rectangular multi-use fields next when we find funding and a location. Woodsom might be the best site, but we'll need funding to take care of the issues. When she came into office and reviewed the Woodsom plan there was no consideration to access, setbacks, and easements. And the high school parking lot is not accessible from the fields, there is no bridge. There are other reasons that ruled Woodsom out. The current AES location on South Hampton Rd is very wet. The fields would be in violation of the buffer which the ACC and DEP were unhappy with. The current field there is too close to the wetlands also. The area was filled to build the school before protective delineations were in place. We are looking at the area for T-ball because they use a smaller space that we can work with. It would be very wet for rectangular fields, but you can throw a frisbee there. We've tried to do a space that would work for everyone and that has not worked. Now, we are trying to designate spaces for certain activities rather do a project that works for everyone (lost audio). We do not have a plethora of open space to turn into rectangular fields, but we can make neighborhood urban space work for Little League and improve the entire area in the process. If you're worried about climate change or watersheds, sharing parking is the right thing to do. School parking lots are the biggest lots in town, and we should be re-purposing them.

59) April McDonald, 8 ½ Greenleaf St., said a new field for 2023 is great. In 2019, our ball team had to play on the Babe Ruth field and were the laughing stocks of the league. In 2020, the season was cancelled, and this year we had a shortened season. Please don't give the baseball team another year of getting the short end of the stick. Can we build it now?

60) Mark Arigoni said 16 trees replace 6 trees being removed along the roadway. The ratio is 2.5:1.

- 61) Mayor Cassandra Gove said if she can build the baseball field now, she will. The Diff at the heights does not generate enough revenue to cover a million dollars' worth of borrowing and the City Council has not authorized anything beyond \$1.5 million. She is trying to do as much as she can with it. We'll get everyone what they need and this needs to get started right away.
- 62) Michael Hilt, 8 Bowie Ave., said the original proposal was building Woodsom Farm multi-use fields and improving all other school fields was \$10 million, but \$8 million for the Woodsom fields alone cannot be accurate. It's probably closer to \$2.5 million. More people are saying this plan doesn't benefit the town in general and it creates problems for a number of organizations. Amesbury Soccer has been spread out all over town for a number of years and paying \$10,000 to rent the Sports Park because we don't have flat fields, whereas this proposal benefits one organization.
- 63) David Frick verified that Mr. Hildt got the Woodsom lease from the City 5-6 years ago. What is holding back the development of the soccer fields? Mr. Hildt said we don't have \$1.2 million, and we are fundraising. Amesbury Soccer holds the lease on the land, but we want to see multi-use fields built for everyone. The currents fields are not adequate and there was a solution in play that benefitted all organizations.
- 64) Mayor Cassandra Gove said a June 2019 document on the website shows the Woodsom Farm fields Phase 1 preliminary cost is \$7.79 million. We don't have the budget to do it even with removing the diamond fields cost of \$1.2 million. Rectangular fields can still be built at Woodsom (lost audio).
- 65) Pascal Rettig said the fields in Town Park already exist and can be upgraded with funds already available and can be ready for the next season. The fields in the City are under maintained. The solution is to build better infrastructure where we already have fields and to maintain them rather than build an entirely new complex costing millions of dollars that won't be ready for a number of years. We have more fields to build. (lost audio) They can't all get done at once with a budget of \$1.5 million. (Lost audio) There are things we can do to make sure that Town Park's parking stays accessible to people who need it. Overflow parking at the high school is a reasonable solution. He supports the project. It would be nice if the entire area didn't have to be fenced off but there is an additional rectangle near the skate park that will be open. He's glad to keep some trees and a new sidewalk will be an improvement.
- 66) Keith Rettig said the Planning Board's purview is to look at the project in front of us rather than consider other locations. He's more comfortable with the parking and agrees that the high school lot is good for overflow parking. We need these fields for next year and the project is within the budget. He agrees that other fields are needed. He is supportive of the project as long as JV and others are accommodated.

- 67) David Frick (lost audio) said we have a need for fields that we can build now. We also have to get moving on the rectangular fields. (lost audio) While there might be better places, the Planning Board's job is not to debate that. This project has everything it needs to be approved and he supports it. He also supports the need for additional rectangular fields.
- 68) Scott Kelley said he doesn't believe this is the best scenario because he believes it goes against the original deed. He's not sure the evaluation of other locations has been exhausted. Just because we did the wrong thing once by fencing off other areas of Town Park doesn't mean we should continue to do the wrong thing. (lost audio) The Town Park donor went to great pains to ensure the park would be available to everyone without obstacles or fees.
- 69) Nipun Jain said the proposal has improvements to parking, pedestrian connections, the park area in general, and the fields that are there. To walk and park along Highland Street while there are games in process is challenging today. These pedestrian and vehicle conditions will all be improved. If we can move forward with that as well as consider the needs of the JV baseball team that would be helpful. The Board could consider asking for a legal opinion on the deed from the City's attorney as a condition.
- 70) Scott Kelley would be amenable to upgrading the pre-existing fields and an opinion from legal counsel for the second field, but not from the City's attorney because the City is the applicant. An independent, 3rd party should review of the deed. He's not a fan of the parking scenario. The language in the deed says, "The premises is given to the inhabitants of Amesbury and their successors and assignees for their own use forever subject to the condition that the said premises are to be kept as a park and recreation area for the free use for the inhabitants of Amesbury and the Amesbury Parks Association." This is a park in the center of town and we're taking off 3+ acres of it for Little League baseball only.
- 71) David Frick said it's still going to be a park and it's still going to be free. He doesn't see how the project violates that. You can't play soccer where the playground equipment is. Does that mean we should take out the bandstand, the playground, and the disc golf apparatus? Where do you draw the line? This is a need the town has right now.
- 72) Nipun Jain (lost audio) said we can find out if independent legal counsel can provide an opinion.
- 73) Pascal Rettig said we can approve the bottom left field and come back at a later time once there's been a legal review of the additional field.
- 74) Mayor Cassandra Gove said she wanted to avoid phased construction when it comes to irrigation and fencing. Would the City pay for the 3rd party review?

- 75) Nipun Jain said a partial approval would require the balance of the project to be refiled for consideration.
- 76) Scott Kelley said he doesn't think there should be a second field because it goes against the deed.
- 77) He asked for the deed to be looked at and no one did that. He wants to see every team made whole with fields. He just wants to make sure we're doing the right thing.
- 78) Pascal Rettig said baseball fields have been there for decades. Their use is already scheduled. You already can't use those fields if they are in use by baseball. How can improving those fields does not go against the deed?
- 79) Mayor Cassandra Gove is okay with getting a legal opinion. If the City is in violation of the deed she would want to know. We have a lot of fenced in areas in Town Park for a lot of different uses. Her concern is about the conflict of interest, in that the City will be paying for the legal opinion regardless of who does it.
- 80) David Frick said we can't access non-City funds for a legal opinion therefore it's unreasonable to suggest that one legal opinion is going to be different or better than the City attorney's opinion.
- 81) Scott Kelley said the City's attorney has an interest in future business with the Amesbury which is why he suggested an independent 3rd party.
- 82) A motion to extend the meeting until 10 PM is made by Keith Ratner and seconded by Scott Kelley.**
- 83) All members present vote in favor. Motion Approved.**
- 84) A motion to approve 140 Friend Street – Town Park Athletic Fields – Site Plan Review (PH: 08-23-21) as presented with the condition that the City get a legal opinion on the deed before construction begins by a firm that is not the current City attorney is made by David Frick and seconded by Keith Ratner.**
- 85) All members present vote in favor. Motion Approved.**
- 86) A motion to close the public hearing for 140 Friend Street – Town Park Athletic Fields – Site Plan Review (PH: 08-23-21) is made by Keith Ratner and seconded by Scott Kelley.**
- 87) All members present vote in favor. Motion Approved.**

88) 7. Administrative

89) Maples Crossing – Earth work Special Permit Extension Request 9/9/2023

90) Nipun Jain said Maples Crossing received several special permits including one for the use and one for associated earth work. The use permit was issued in 2018 and already extended to 2022. The earth work permit was issued in 2019 and expires this September, therefore the extension is until 2023. Staff recommend approval.

91) A motion to approve the Maples Crossing – Earth work Special Permit Extension Request to 9/9/2023 is made by David Frick and seconded by Keith Ratner.

92) All members present vote in favor. Motion Approved.

93) 99 Pleasant Valley Road – Request for Certificate of Improvements/Occupancy Release

94) Nipun Jain said the applicant requested a continuance to the next meeting.

95) Bailey's Pond – Partial Covenant Release Update/Endorsement

96) Nipun Jain said the applicant had requested release of the larger pod of remaining buildings. Previously the Board talked about other things that need to be done, including a review of the as builts. He has worked with the applicant's attorney to ensure the release reflects the conditions as discussed. The covenant is on the whole project, so it is being released in a phased manner. Staff recommends endorsement. The covenant release can be signed at the end of the meeting.

97) DRC – Applications

98) Nipun Jain said the Mayor's office has recommended 2 members for the Design Review Committee that need to be ratified by the Planning Board before going to City Council. The request is to approve these members.

99) Pascal Rettig said the Board's representative for the DRC is not present and it makes sense to do this at a combined meeting with the City Council.

100) Nipun Jain said the City Council meets on September 14th.

101) David Frick asked how many committee members are on the DRC. Director Jain said 3 core members and 2 alternates. The 2 new members would both be alternates. The Board does not have any members on the DRC right now.

102) Pascal Rettig suggested holding off on a vote until the next Planning Board meeting. (lost audio)

103) David Frick asked if it had to be a joint meeting. Both people are qualified, but they can't both be on it.

104) Nipun Jain said in the past it has been a joint meeting, but that was 11-12 years ago. (lost audio)

105) There's no issue if the Board wants to sit with City Council to make their vote.

106) *Communication from Staff*

107) David Frick said the Board needs to appoint a member for the Disposition Committee. (lost audio)

108) A motion to appoint Scott Kelley to the Trader Allen Disposition Committee is made by David Frick and seconded by Keith Ratner.

109) All members present vote in favor. Motion Approved.

110) Nipun Jain said a permit coordinator has been hired and will be starting shortly.

111) 7. Adjournment

112) A motion to close the August 23, 2021, meeting is made by David Frick and seconded by Keith Ratner.

113) All members present vote in favor. Motion Approved.

114) The meeting adjourned at 9:43 PM

115) Respectfully submitted -- Linda Guthrie, Recording Secretary